



PROVINCE OF BRITISH COLUMBIA

BRITISH COLUMBIA UTILITIES COMMISSION

IN THE MATTER OF the Utilities Commission
Act, S.B.C. 1980, c. 60 as amended

and

IN THE MATTER OF the Provision of Propane Gas
Service to Blackcomb Benchlands area of Whistler,
B.C. and to the Community of Whistler, B.C.

and

IN THE MATTER OF Applications by
ICG Liquid Gas Ltd.,
ICG Utilities (British Columbia) Ltd. and
Inland Natural Gas Co. Ltd.

BEFORE: J.D.V. Newlands,)
Deputy Chairman; and)
N. Martin,) October 27, 1987
Commissioner)

O R D E R

WHEREAS on July 2, 1987 ICG Liquid Gas Ltd. ("ICG Liquids") applied for an Order of the Commission pursuant to Section 51 of the Utilities Commission Act ("the Act") granting to ICG a Certificate that public convenience and necessity requires the construction and operation of certain storage and distribution works to serve various commercial and residential developments with propane gas service in the area of the Blackcomb Benchlands, north of Fitzsimmons Creek in the Resort Municipality of Whistler, B.C.; and

WHEREAS Commission Order No. G-53-87 granted to ICG Liquid Gas Ltd. a Certificate of Public Convenience and Necessity authorizing it to proceed with the construction of the facilities noted in the ICG Liquids Application on the condition that in the event of the selection of an interested party other than ICG

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Liquids to provide propane gas service to the Blackcomb Benchlands that such other party shall be required to purchase from ICG Liquids the total cost of its construction of the Blackcomb System; and

WHEREAS on July 2, 1987 ICG also applied for an Order of the Commission pursuant to Section 103(3) of the Utilities Commission Act exempting ICG from all provisions of the Utilities Commission Act, other than Part 2; and

WHEREAS on August 21, 1987 Inland Natural Gas Co. Ltd. ("Inland") applied pursuant to Sections 51 and 53 of the Act for a Certificate that a public convenience and necessity requires the construction and operation of a gas distribution system to be operated as a regulated facility for the Blackcomb Mountain Benchlands area of the Resort Municipality of Whistler, B.C.; and

WHEREAS on September 22, 1987 ICG Liquid Gas Ltd. ("ICG Liquids") applied pursuant to Section 59 of the Act for Commission approval of the sale to ICG Utilities (British Columbia) Ltd. ("ICG Utilities") of the utility assets owned by ICG Liquids in the Community of Whistler and the surrounding area in the Municipality of Whistler for \$355,000; and the assignment of any related Certificate or Certificates of Public Convenience from ICG Liquids to ICG Utilities all in accordance with the terms and conditions contained in a Purchase and Sale Agreement dated September 1, 1987 between the two parties; and

WHEREAS on October 13, 1987 ICG Liquids and ICG Utilities in a joint Application sought the following:

1. to amend the July 2, 1987 Certificate Application by:
 - (a) substituting ICG Utilities in place of ICG Liquids as the Applicant;
 - (b) abandoning the relief sought in paragraph (b) thereof;
 - (c) seeking a Certificate of Public Convenience and Necessity in respect of the whole of the area within the Resort Municipality of Whistler and not simply the Blackcomb Benchlands area.

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2. to vacate the provisions of Commission Order No. G-102-85 to the extent that it exempts the Whistler System (as therein defined) from regulation under the Utilities Commission Act.
3. to supplement the Certificate Application with certain facts which will be spoken to by witnesses called on behalf of the Applicants; and

WHEREAS the Commission by published notice invited Interested Parties to make Application to provide propane gas service to the Blackcomb Benchlands not later than October 15, 1987; and

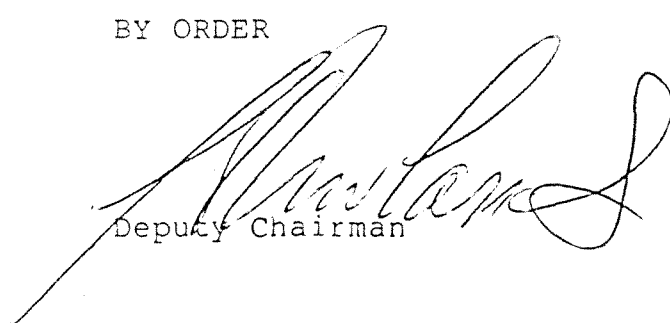
WHEREAS the Commission has reviewed all of the afore-noted matters.

NOW THEREFORE the Commission orders as follows:

1. The Application for the sale of the utility assets of ICG Liquids to ICG Utilities is set down for public hearing commencing at 9:00 a.m. local time on November 23, 1987 at the Blackcomb Hotel (Whistler).
2. The Applications of ICG Liquid Gas Ltd., and Inland Natural Gas Co. Ltd.; and the joint application of ICG Liquids and ICG Utilities are set down for public hearing on November 23, 1987 at the same location following the conclusion of "sale of assets" hearing.
3. The Applicants will file with the Commission not later than Friday, November 13, 1987 any additional prepared testimony and supplemental material upon which they propose to rely.
4. Interested persons intending to be present and participate in the public hearing should give notice of intention to do so to the Commission Secretary, and to the Applicants, to be received not later than Friday, November 13, 1987. Such notice should state the nature of your interest in the proceeding.
5. Interested persons intending to file a written submission should provide one copy to the Commission Secretary, and one copy to the Applicants, to be received not later than Friday, November 13, 1987.

DATED at the City of Vancouver, in the Province of British Columbia, this 30th day of October, 1987.

BY ORDER


Deputy Chairman



NOTICE OF PUBLIC HEARING

THE APPLICATIONS

- Applications for a Certificate of Public Convenience and Necessity for construction and operation of a gas distribution system for the Blackcomb Benchlands were made by ICG Liquid Gas Ltd. on July 2, 1987 (to be exempt from regulation); and from Inland Natural Gas Co. Ltd. on August 21, 1987 (to be operated as a regulated facility);
- An Application on September 22, 1987 sought Commission approval of the sale of utility assets by ICG Liquid Gas Ltd. to ICG Utilities (British Columbia) Ltd. for \$355,000 and the assignment of any related Certificates of Public Convenience and Necessity from ICG Liquid Gas Ltd. to ICG Utilities (British Columbia) Ltd.
- A Joint Application by ICG Liquid Gas Ltd. and ICG Utilities (British Columbia) Ltd. on October 13, 1987 sought to amend the July 2, 1987 Certificate Application by substituting ICG Utilities (British Columbia) Ltd. for ICG Liquid Gas Ltd.; abandon the relief sought in paragraph (b) thereof; to seek a Certificate of Public Convenience and Necessity in respect of the whole of the area within the Resort Municipality of Whistler and not simply the Blackcomb Benchlands area; to vacate the provisions of Commission Order No. G-102-85 to the extent that it exempts the Whistler System (as therein defined from regulation under the Utilities Commission Act).

THE PUBLIC HEARING

The Application for the sale of the utility assets of ICG Liquids to ICG Utilities is set down for public hearing commencing at 9:00 a.m. local time on November 23, 1987 at the Blackcomb Hotel (Whistler), and the other Applications will be heard following the conclusion of the utility asset sale proceeding.

INSPECTION OF THE APPLICATIONS

A copy of the Applications and supporting material is available for inspection as follows:

- ICG Liquid Gas Ltd.
3191 Thunderbird Crescent
Burnaby, B.C.
V5A 3G3
- ICG Utilities (British Columbia) Ltd.
1-256 Wallace Street
Nanaimo, B.C.
V9R 5B3
- Inland Natural Gas Co. Ltd.
23rd Floor
1066 West Hastings Street
Vancouver, B.C.
V6E 3G3

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- The District of Whistler
Municipal Hall
4381 Blackcomb Way
Whistler, B.C.
- British Columbia Utilities Commission
4th Floor
800 Smithe Street
Vancouver, B.C.
V6Z 2E1

INTERVENTIONS

Interested persons intending to be present and participate in the public hearing should give notice of intention to do so to the Commission Secretary, and to the Applicants, to be received not later than Friday, November 13, 1987. Such notice should state the nature of your interest in the proceeding.

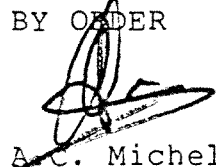
SUBMISSIONS BY INTERESTED PERSONS

Interested persons intending to file a written submission should provide one copy to the Commission Secretary, and one copy to the Applicants, to be received not later than Friday, November 13, 1987.

CLARIFICATION

Persons intending to participate in the public hearing who are uncertain as to the manner in which to proceed should contact the Commission Secretary by telephone (660-4700 Collect), or in writing.

BY ORDER


A.C. Michelson
Commission Secretary